S.B. CRIMINAL REVISION PETITION NO.1302/2007.

(VIKRAM SINGH & ORS. VS. STATE & ANR.)

DATE OF ORDER : 07.12.2007.

HON'BLE MR. GOVIND MATHUR, J.

Mr. Pradeep Shah for the petitioners.

This petition under Section 397 read with Section 401 Cr.P.C. Is preferred to examine validity, correctness and propriety of the order dated 22.10.2007 passed by learned Judicial Magistrate, Deogarh framing charges for the offences punishable under Sections 147, 447 read with Section 149, 435 read with Section 149, 427 read with Section 149, 341 read with Section 149, 323 read with Section 149 IPC against the petitioners.

The contention of counsel for the petitioners is that on basis of the police report and the documents annexed thereto, the Magistrate could have not presumed to proceed with the trial against the petitioners for the charges referred above. It is asserted that on basis of the evidence available, no charge as framed could have been constituted against the petitioners.

I have examined the order impugned and also the police report submitted as per provisions of Section 173 Cr.P.C.

From perusal of the police report, it is apparent that specific allegations are made against the petitioners and adequate material is there to prima facie draw a presumption to proceed against the petitioners for the charges framed. No interference, thus, is required by this Court while exercising powers under Section 397 read with Section 401 Cr.P.C.

The revision petition is accordingly dismissed.

(GOVIND MATHUR)J.

Anil/